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Remarks

The Examiner's reliance upon Burge et al. is premised upon two points which will be addressed and refuted in these remarks.

First, the Examiner's view is that Burge et al. shows a "plurality of user profiles." Applicant submits this is a misunderstanding. Burge et al. does not mention at the locations cited by the Examiner, the concept of one user having multiple stored profiles. Note specifically that the claims call for a "plurality of usage profiles [that] reflect the monitored subjective preferences for the user" (emphasis added). Thus the claims say, the user, i.e., one user, has a plurality of profiles. Nothing in Burge et al. as cited by the Examiner shows or would suggest that one user has multiple profiles. There may be multiple users, but each user would have one profile.

Second, the Examiner has interpreted the claims such that "personalizing or customizing the user profile based upon the computing environment" would be met by any personalizing or customizing done by any computer, and particularly, would be met by a server such as Burge's, that collects user preferences and stores them in a "cookie" on the client computer. Applicant submits this is also a misunderstanding of the intended scope of the claims, which were intended to deal with a server that stores multiple profiles, not the use of "cookies".

Responding to this second issue, Applicant is presenting an amendment clarifying the intended claim scope. Specifically, the claims now clarify that the user interacts with a "remote" computing system which the user is in a computing environment that is "local", and that the usage profiles are stored "in the remote computing system."

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Applicant submits there is nothing in Burge et al. that is suggestive of storing multiple profiles in a remote computer system so as to provide different preferences to a user in different local computing environments. Simply put, this is not shown nor suggested and is a patentable concept over what has been cited by the Examiner.

Applicant further notes that the Examiner's rejections of claims 5-7 based on Burge et al. are entirely incorrect. These claims call for detecting "physiological response", such as "eye movement" or "galvanic skin response". The Examiner's view appears to be that a user's online activity inherently relates to "physiological response", "eye movement" or "galvanic skin response". This rejection is entirely inappropriate. It may be true that a user has a "physiological response" that causes certain actions, but that does not mean that a computer detecting those actions is detecting the "physiological response". The computer is only detecting the actions. It may well be the case that there is a "physiological response" that does not lead to any user action. For example, the user may look at or react to an advertisement without clicking on it. In that case, the only way to capture the "physiological response" is to directly capture it, e.g., by capturing "eye movement" to the advertisement or "galvanic skin response" generated when the advertisement is displayed. The Examiner's view that "physiological response" "eye movement" or "galvanic skin response" is taught, suggested or accomplished by the Burge et al. prior art is entirely incorrect.

Applicant thus submits that all claims are allowable.

A petition for a one month extension of time is hereby requested. Please charge the applicable fee to deposit account 23-3000. If any further petition for extension of time is

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necessary to accompany this communication, please consider this paper a petition for such an extension of time, and apply the appropriate extension of time fee to Deposit Account 23-3000. If any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,



Thomas W. Humphrey  
Reg. No. 34,353

Wood, Herron & Evans, L.L.P.  
2700 Carew Tower  
441 Vine Street  
Cincinnati, OH 45202-2917

Voice: (513) 241-2324  
Facsimile: (513) 241-6234